

# SELLING TOBACCO PRODUCTS TEST

For each question, please check (✓) the correct answer.

**1. It is against the law to sell tobacco products to anyone under age:**

- ☒ 18
- ☐ 21
- ☐ 27

Massachusetts General Laws Chapter 270, section 6 reads:

*“Whoever sells a cigarette, chewing tobacco, snuff or any tobacco in any of its forms to any person **under the age of eighteen** or, not being his parent or guardian, gives a cigarette, chewing tobacco, snuff or tobacco in any of its forms to any person under the age of eighteen shall be punished by a fine of not less than one hundred dollars for the first offense, not less than two hundred dollars for a second offense and not less than three hundred dollars for any third or subsequent offense.”*

Please also see the *Manager’s Guide to Training Employees* page 7, section C, Review of the Laws, Overview of Tobacco Sales Laws.

**2. You must check the I.D. of customers wishing to purchase tobacco products if they look younger than:**

- ☐ 18
- ☐ 21
- ☒ 27

The Attorney General Consumer Protection regulations about checking I.D.:

It shall be an unfair or deceptive act or practice for any person who sells or distributes cigarettes or smokeless tobacco products through a retail outlet located within Massachusetts to engage in any of the following retail outlet sales practices:

(b) Failing to verify by means of valid government-issued photographic identification that each person purchasing cigarettes or smokeless tobacco is 18 years of age or older. No such verification is required for any person who appears 27 years of age or older. *CMR 21.04 (2) (b), 22.06 (2) (b)*

Violators may be subject to a civil penalty of up to \$5,000 and the cost expended to investigate and prosecute the violation. *G.L. ch. 93A, s. 4*

Please also see the *Manager’s Guide to Training Employees* page 7, section C, Review of the Laws, Overview of Tobacco Sales Laws.

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3. If a young person gives you a note from his/her parent, giving permission to buy cigarettes, you should:

- ☒ Refuse the sale
- ☐ Proceed with the sale
- ☐ Proceed with sale only if the note is signed by the parent

Please review the *Manager's Guide to Training Employees* page 11, section E, How to Handle Difficult Situations, Attempt to Purchase with a Note.

4. Which of the following I.D.'s can you accept as proof of age for someone buying tobacco?

- ☐ Library card
- ☐ College I.D.
- ☐ Video Club Membership
- ☒ Out-of-State Driver's License

Please review the *Manager's Guide to Training Employees* page 9, section D, How to Check I.D., Acceptable forms of I.D. Please also see the two fact sheets: *Checking Massachusetts I.D.* and *Checking Out-of-State I.D.*

5. If today's date is July 26, 2007, which of the following people may legally buy tobacco products?

- ☐ Birthday is July 27, 1989
- ☒ Birthday is July 25, 1989
- ☐ Birthday is July 24, 1990

Only the person whose birthday is **July 25, 1989** is over the age of 18. The person whose birthday is July 27, 1989 is one day younger than 18 years old and the person whose birthday is July 24, 1990 is only 17 years old.

6. Which of the following are ways youth try to outsmart sales clerks?

- ☐ Telling the clerk the cigarettes are for a parent
- ☐ Going to a store where a friend works
- ☒ Both of the above

Please review the fact sheet: *How to Outsmart a Sales Clerk*

7. Which of the following are acceptable forms of I.D.?

- ☐ State- Issued Driver's License
- ☐ Military I.D.
- ☐ Massachusetts Liquor License
- ☒ All of the Above

Please review the *Manager's Guide to Training Employees* page 9, section D, How to Check I.D., Acceptable forms of I.D. Please also see the two fact sheets: *Checking Massachusetts I.D.* and *Checking Out-of-State I.D.*

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8. Cigarettes may be sold in amounts smaller than the smallest package made by the manufacturer.

- ☐ True  
☒ False

Massachusetts General Laws chapter 94, section 307A reads:

*“No person shall sell, offer for sale or have in possession with intent to sell single unpackaged cigarettes. Whoever violates the provision of this section shall be punished by a fine of not less than two hundred nor more than five hundred dollars.”*

The Attorney General Consumer Protection regulations about cigarette packaging:

It shall be an unfair or deceptive act or practice for any manufacturer, distributor or retailer to engage in any of the following practices:

(b) Breaking or otherwise opening any cigarette or smokeless tobacco product package to sell or distribute any number of unpackaged or repackaged cigarettes or any quantity of smokeless tobacco that is smaller than the smallest package distributed by the manufacturer for individual consumer use. *CMR 21.04 (1) (b)*

Violators may be subject to a civil penalty of up to \$5,000 and the cost expended to investigate and prosecute the violation. *G.L. ch. 93A, s. 4*

Please also see the *Manager’s Guide to Training Employees* page 3, Attorney General’s Requirements and page 8, section C, Review of the Laws, Overview of Tobacco Sales Laws.

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